

## **REGULAR MEETING OF COMMON COUNCIL**

A regular meeting of the Common Council of the City of Chippewa Falls was held on Tuesday, April 7, 2009 at 6:30 PM in the City Hall Council Chambers. Mayor Gregory Hoffman presiding. The Pledge of Allegiance was given.

### **CLERK CALLS THE ROLL**

Council members present: Jack Covill, Brian Flynn, Greg Dachel, Jason Anderson, Robert Hoekstra, Susan Zukowski. Absent: Dennis Doughty.

City staff present: City Planner Jayson Smith, Public Works Director/City Engineer Rick Rubenzer, Police Chief Wayne Nehring, Assistant City Engineer Rob Krejci, Park Employees Ade King and Chuck Cyr.

### **APPROVAL OF MINUTES OF PREVIOUS MEETINGS**

**(a) Motion by Zukowski/Flynn, all present voting aye**, to approve the minutes of the regular council meeting of March 17, 2009. **Motion carried.**

### **PERSONAL APPEARANCES BY CITIZENS**

**(a) Joanna Dane**, 709 W. Willow Street, Chippewa Falls, thanked council members for their service. She feels the City did little to educate the public on the sand project and should have a better communication system with the public. **Russ Blair**, 228 Oak Knoll Drive, Chippewa Falls, stated that Judge Cameron ruled the Plan Commission has to redo the Conditional Use Permit and even though they do not have to hold another public hearing, he advised them to do so. He also believes there was bias by two individuals on the Plan Commission because they now work for the firm building the sand plant. He accused the Mayor of being derelict in his duties for allowing certain Plan Commission members working for the sand project to attend meetings. Mayor Hoffman responded to the accusations indicating he was not the Mayor at the time. Mr. Blair also made accusations of abuse of closed door meetings. **Leonard Mondeau**, 736 Westhaven Road, Chippewa Falls, congratulated the people who brought the sand project here because it increases the City's tax base and he believes will create higher paying jobs than the stated \$10.81 per hour. He also stated the project will be using some of the water that a current business is no longer using. **Shawn Hammond**, 206 7<sup>th</sup> Avenue, Chippewa Falls, agreed there is a lot of misinformation out there and thinks a public forum would help everyone be on the same page. She also wanted to know how much Mr. Mondeau got paid for coming up and speaking his mind. **Elizabeth Walton**, property owner on Evergreen Lane, thanked council members for their service but believes there is broken trust between the citizens and government. She stated the citizens are not the enemy and that trust in thoughts and ideas needs to be restored both ways.

### **PUBLIC HEARINGS**

None

### **COMMUNICATIONS**

None

### **REPORTS**

**(a) Motion by Hoekstra/Dachel** to approve the minutes of the Board of Public Works meeting of March 23. **After a roll call vote, said motion passed unanimously.**

**(b)** The Council discussed the Business Improvement District (BID) Board minutes of March 26. No action taken.

## **APPLICATIONS**

**(a) Motion by Covill/Anderson, all present voting aye**, to approve the Operator (Bartender) licenses as recommended by the Police Department. **Motion carried.**

The Council discussed the Operator License Application of **Alexis Rutsch** that was tabled from the last meeting. Chief Wayne Nehring indicated he met with Ms. Rutsch to discuss concerns of granting her license. **Motion by Hoekstra/Dachel, all present voting aye**, to approve her application and grant her an Operator License as recommended by the Police Department.

**Motion carried.**

**Motion by Hoekstra/Zukowski, all present voting aye**, to deny the license application of Kim Hays as recommended by the Police Department. **Motion carried.**

**(b) Motion by Dachel/Zukowski, all present voting aye**, to approve the Application of Chi-Hi Booster Club for a Temporary Class "B"/"Class B" Retailer's License for the Chi-Hi Booster Club Raffle Extravaganza on April 25 & 26. **Motion carried.**

**(c) Motion by Flynn/Anderson, all present voting aye**, to approve the Sidewalk Use Permit Application of Bridge Street Station, 212 N. Bridge Street. **Motion carried.**

## **PETITIONS** None

## **MAYOR ANNOUNCES APPOINTMENTS**

None

## **MAYOR'S REPORT**

**(a)** Mayor announced the 2010 Census Kick Off was held in Eau Claire and reminded everyone how important it is to participate because many funding dollars are distributed based on these statistics.

## **COUNCIL COMMITTEE REPORTS**

**(a) Motion by Zukowski/Dachel** to approve the minutes of the Committee No. 1 Revenues, Disbursements, Water and Wastewater meeting of March 19. **After a roll call vote, said motion passed unanimously.**

**(b) Motion by Flynn/Hoekstra, all present voting aye**, to approve the minutes of the Committee No. 2 Labor Negotiations, Personnel Policy & Administration meeting of March 24. **Motion carried.**

**(c) Motion by Hoekstra/Dachel, all present voting aye**, to approve the minutes of the Committee No. 3 Transportation, Construction, Public Safety & Traffic meeting of March 31. **Motion carried.**

**(d) Motion by Covill/Hoekstra** to approve the minutes of the Committee No. 4 Recycling, Computerization, Building & Intergovernmental meeting of April 1. **Said motion passed after the following roll call vote: Aye – Covill, Hoekstra, Flynn, Dachel, Anderson; Nay – Zukowski.**

## **REPORT OF OFFICERS**

None

## **ORDINANCES**

**(a) The First Reading of Ordinance 2009-05 Entitled:** An Ordinance Granting a Special Use Permit for the Arbor Care Business Located at #101 Chippewa Street was held.

**(b) The First Reading of Ordinance 2009-06 Entitled:** An Ordinance Amending the Special Assessments Procedures Code Section, Section 3.08 of the Chippewa Falls Municipal Code was held. **There was a motion by Hoekstra/Flynn** to suspend the rules and have a second reading of Ordinance 2009-06. **After a roll call vote, said motion passed unanimously. Motion by**

## **ORDINANCES(cont.)**

**Hoekstra/Zukowski** to approve **Ordinance 2009-06**. **After a roll call vote, said motion passed unanimously.**

## **RESOLUTIONS**

**(a) Motion by Zukowski/Hoekstra** to approve **Resolution 2009-06 Entitled:** Final Resolution Levying Special Assessments and Authorizing Construction in Front Street (Badger Street to Well Street). **After a roll call vote, said motion passed unanimously.**

**(b) Motion by Hoekstra/Zukowski** to approve **Resolution 2009-07 Entitled:** Final Resolution Levying Special Assessments and Authorizing Construction in Wheaton Street (Northridge Court to the North City Limits). **Said motion passed after the following roll call vote: Aye – Hoekstra, Zukowski, Dachel, Anderson; Nay – Covill, Flynn.** Alderman Flynn received comments that seven of the owners on Wheaton Street are still opposed to the construction because their frontage makes the special assessment charges very high.

**(c) Motion by Anderson/Zukowski** to approve **Resolution 2009-08 Entitled:** Final Resolution Levying Special Assessments and Authorizing Construction in Central Street (Island Street to Rushman Drive). **After a roll call vote, said motion passed unanimously.**

**(d) Motion by Hoekstra/Anderson** to approve **Resolution 2009-09 Entitled:** Final Resolution Levying Special Assessments and Authorizing Construction in Terrill Street (Macomber Street to Bridgewater Avenue). **After a roll call vote, said motion passed unanimously.**

**(e) Motion by Dachel/Flynn** to approve **Resolution 2009-10 Entitled:** Resolution Funding Alexander Street Extension. **After a roll call vote, said motion passed unanimously.**

## **OTHER NEW OR UNFINISHED BUSINESS AS AUTHORIZED BY LAW**

**(a) Motion by Anderson/Dachel** to accept the Proposal for Consulting Services by SEH for GIS Registry Submittal for Parcels 4222.20 and 4222.30 located on Bridge Street and authorize the Mayor to sign the Proposal contingent upon the purchase of said properties. **After a roll call vote, said motion passed unanimously.**

**(b) Motion by Hoekstra/Zukowski** to approve the extension of Memorandum of Understanding and Agreement between the City of Chippewa Falls and the Village of Lake Hallie for Interim Police Chief Services for up to 45 days. **After a roll call vote, said motion passed unanimously.**

## **CLAIMS**

**(a)** The Claims Committee met at 6:00 PM before the regular meeting to review the claims for payment by the various departments of the city. **Motion by Anderson/Zukowski** to approve the payment of the claims listed below. **After a roll call vote, said motion passed unanimously.**

City General Claims and

Authorized/Handwritten Claims: \$101,781.02

## **CLOSED SESSION**

**Motion by Hoekstra/Zukowski** to go into closed session under 19.85(1)(g) for “conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved to discuss: **(a)** Oral advice and strategy in regard to Concerned Chippewa Citizens and Curtis v. City of Chippewa Falls, 09CV223; and **(b)** Oral advice and strategy in regard to notice of claim provided on behalf of Ronald Singel; and

**CLOSED SESSION(cont.)**

under 19.85(1)(e) for “deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session” to: **(a)** Discuss and consider the purchase of Parcels 4222.20 and 4222.30 from Greg Harberts per the Downtown Entrance Plan; and **(b)** Discuss and consider new and revised Offer to Purchase made by CFMIT for the purchase of 21 E. Grand Avenue, Chippewa Falls; and to allow City Attorney Robert Ferg, City Clerk Lynne Bauer, City Planner Jayson Smith and City Engineer Rick Rubenzer to attend; and may return to open session.

The Council discussed these issues.

**Motion by Hoekstra/Zukowski, all present voting aye, to return to open session. Motion carried.**

**ADJOURNMENT**

**Motion by Hoekstra/Zukowski, all present voting aye, to adjourn at 8:11 PM. Motion carried.**

Submitted by

Lynne Bauer  
City Clerk